

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NATHANIEL ALLEN LINDELL,

ORDER

Plaintiff,

06-cv-608-bbc

v.

CAPTAIN MONICA HORNER and
THOMAS CRAVENS,

Defendants.

In preparation for the upcoming trial in this case, the parties have submitted motions in limine, most of which will be addressed at the final pretrial conference, which is scheduled to be held on March 10, 2008 at 8:30 a.m. However, within plaintiff's motion in limine is a motion to compel defendants to allow him to shave prior to appearing in court. According to plaintiff, he is not allowed to shave because he is on a razor restriction at the Wisconsin Secure Program Facility. Plaintiff is concerned that he will appear disheveled because he is unable to shave, and this will affect his presentation to the jury. In addition to questioning the validity of the facility's razor restriction, he argues that prison officials could at least allow him to use an electric razor, either his own (which, according to plaintiff,

is in his "property") or one lent by the facility.

Unfortunately, neither of plaintiff's suggestions may be ordered by the court. It is simply not within the power of this court to order defendants or the Wisconsin Secure Program Facility to lift a no razor restriction or provide plaintiff access to an electric razor. Therefore, plaintiff's motion to compel is DENIED.

That said, there is nothing preventing defendants' counsel from intervening on plaintiff's behalf to explore the possibility of arranging for the facility to allow plaintiff to shave (possibly under supervision, if necessary) before he is transported to this court for trial. I have no authority to require defense counsel take action to assist plaintiff, but it would be a gracious move on their part.

Entered this 3rd day of March, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge